

REMARKS

A. Claims 1-6

In the Office Action of October 6, 2006, claims 1-6 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 1 has been canceled rendering its rejection moot. Regarding the remaining claims, the rejection of claim 4 is traversed. In particular, claim 4 recites “determining a language from the voice signals.” The Office Action asserts that Uppaluru discloses the limitation at col. 16, line 49, to col. 17, line 45, and specifically lines 22-24, which state that “personal voice web 300 uses some knowledge of the language to aid the recognition process.” Voice recognition inherently involves the language spoken by the speaker; the intent of Claim 4 is to determine which language is being spoken, or whether a foreign language is being spoken. This section in Uppaluru discusses digital sampling of voices and the characteristic phonemes, groups of phonemes, and words spoken by the voices. There is no mention of “determining” which language is being spoken from the voice signals.

Talmor et al. does not cure the deficiencies of Uppaluru with respect to claim 4 in that Talmor et al. does not suggest altering Uppaluru to determine a language from voice signals. Without such suggestion, the rejection is improper and should be withdrawn.

Applicant traverses the rejection of claim 5 as well. Claim 5 recites “utilizing artificial intelligence to interact with the user.” The rejection states that Uppaluru discloses this limitation in Fig. 1, element 201, “voice web service agents,” with further explanation at col. 10, lines 14-18. This passage states that a personal voice web service agent uses a corresponding service profile agent to retrieve attributes, preferences, and other information about a subscriber. In

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other words, these agents are merely Uppaluru's "scripts and programs" for retrieving information, not artificial intelligence as the term is normally used, and not as the term is used in the application. For example, Applicant's application uses the term "artificial intelligence" for helping with voice extraction of the user in the sense of neural networks, such as a hidden Markov model algorithm or a vector quantization algorithm. Specification, p. 79, lines 1-7. Accordingly, it is apparent that Uppaluru does not disclose "utilizing artificial intelligence" in the manner recited in claim 5.

Talmor et al. does not cure the deficiencies of Uppaluru with respect to claim 5 in that Talmor et al. does not suggest altering Uppaluru to utilize artificial intelligence to interact with a user. Without such suggestion, the rejection is improper and should be withdrawn.

Claims 2, 3 and 6 have been amended so as to depend from claim 4 and so are patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 4.

As mentioned above, claims 2, 3 and 6 have been amended so as to depend from claim 4. Since the amendments are being made solely to provide additional coverage for the invention of claim 4, the amendments are not being made for reasons related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002) (hereinafter *Festo I*).

Claims 4 and 5 have been amended so as to be in independent form. To the extent that the amendments incorporate subject matter that was inherently present in the previous version of the claims, the amendments are not being made for reasons related to patentability. *See, Festo*

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Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd, 535 U.S. 722 (2002) (hereinafter *Festo II*).

B. Claims 7-12

Claims 7-12 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 7 has been canceled rendering its rejection moot. Regarding the remaining claims, the rejection of claim 10 is traversed. In particular, claim 10 recites “a code segment that determines a language from the voice signals.” Such language is similar to that recited in claim 4 and so the rejection is traversed for reasons similar to those given above in Section A at pages 12-14 with respect to claim 4.

Applicant traverses the rejection of claim 11 as well. Claim 11 recites “a code segment that utilizes artificial intelligence to interact with the user.” Such language is similar to that recited in claim 5 and so the rejection is traversed for reasons similar to those given above in Section A at pages 12-14 with respect to claim 5.

Claims 8, 9 and 12 have been amended so as to depend from claim 10 and so are patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 10.

As mentioned above, claims 8, 9 and 12 have been amended so as to depend from claim 10. Since the amendments are being made solely to provide additional coverage for the invention of claim 10, the amendments are not being made for reasons related to patentability as defined in *Festo I*.

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Claims 10 and 11 have been amended so as to be in independent form. To the extent that the amendments incorporate subject matter that was inherently present in the previous version of the claims, the amendments are not being made for reasons related to patentability. *See, Festo II.*

C. Claims 13-18

Claims 13-18 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 13 has been canceled rendering its rejection moot. Regarding the remaining claims, the rejection of claim 16 is traversed. In particular, claim 16 recites “logic that determines a language from the voice signals.” Such language is similar to that recited in claim 16 and so the rejection is traversed for reasons similar to those given above in Section A at pages 12-14 with respect to claim 4.

Applicant traverses the rejection of claim 17 as well. Claim 17 recites “logic that utilizes artificial intelligence to interact with the user.” Such language is similar to that recited in claim 5 and so the rejection is traversed for reasons similar to those given above in Section A at pages 12-14 with respect to claim 5.

Claims 13, 15 and 18 have been amended so as to depend from claim 16 and so are patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 16.

As mentioned above, claims 13, 15 and 18 have been amended so as to depend from claim 16. Since the amendments are being made solely to provide additional coverage for the invention of claim 16, the amendments are not being made for reasons related to patentability as defined in *Festo I.*

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Claims 16 and 17 have been amended so as to be in independent form. To the extent that the amendments incorporate subject matter that was inherently present in the previous version of the claims, the amendments are not being made for reasons related to patentability. *See, Festo II.*

D. Claims 19-25

Claims 19-25 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 19 has been canceled rendering its rejection moot. Regarding the remaining claims, claim 21 has been amended to be in independent form and recites “the voice signal is characterized by statistical parameters and which are stored.” The Office Action asserts that Uppaluru discloses statistical parameters of a voice signal. A review of the passage of Uppaluru relied on by the Office Action to show that the recited statistical parameters are disclosed reveals that there is no mention of statistical parameters of a voice. Talmor et al. does not cure the deficiencies of Uppaluru with respect to claim 21 in that Talmor et al. does not suggest altering Uppaluru to store statistical parameters of a voice signal. Without such suggestion, the rejection should be withdrawn.

Claims 20 and 22-25 have been amended so as to depend from claim 21 and so are patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 21.

As mentioned above, claims 20 and 22-25 have been amended so as to depend from claim 21. Since the amendments are being made solely to provide additional coverage for the invention of claim 21, the amendments are not being made for reasons related to patentability as defined in *Festo I.*

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Claim 21 has been amended so as to be in independent form. To the extent that the amendment incorporates subject matter that was inherently present in the previous version of the claim, the amendment is not being made for reasons related to patentability. *See, Festo II.*

E. Claims 26-29

Claims 26-29 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 26 has been canceled rendering its rejection moot. Regarding the remaining claims, claim 29 has been amended to be in independent form and recites a “digital signal processor analyzes a signal of the digitized sound to extract spectral and statistical data.” The Office Action asserts that Uppaluru discloses extracting statistical data of a signal of a digitized sound. A review of the passage relied on by the Office Action to show that the recited extraction of statistical data reveals that there is no mention of such extraction. Talmor et al. does not cure the deficiencies of Uppaluru with respect to claim 29 in that Talmor et al. does not suggest altering Uppaluru to extract statistical data of a signal of a digitized sound. Without such suggestion, the rejection should be withdrawn.

Claims 27 and 28 have been amended so as to depend from claim 29 and so are patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 29.

As mentioned above, claims 27 and 28 have been amended so as to depend from claim 29. Since the amendments are being made solely to provide additional coverage for the invention of claim 29, the amendments are not being made for reasons related to patentability as defined in *Festo I.*

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Claim 29 has been amended so as to be in independent form. To the extent that the amendment incorporates subject matter that was inherently present in the previous version of the claim, the amendment is not being made for reasons related to patentability. *See, Festo II.*

F. Claims 30-33

Claims 30-33 were rejected under 35 U.S.C. § 103 as being obvious in view of Uppaluru and Talmor et al. Claim 30 has been canceled rendering its rejection moot. Regarding the remaining claims, the rejection of claim 32 is traversed. In particular, claim 32 recites “a code segment that determines a language from the voice and voice commands of the user.” Such language is similar to that recited in claim 10 and so the rejection is traversed for reasons similar to those given above in Section B at pages 14-15 with respect to claim 10.

Applicant traverses the rejection of claim 33 as well. Claim 33 recites “a code segment that utilizes artificial intelligence to interact with the user.” Such language is similar to that cited in claim 11 and so the rejection is traversed for reasons similar to those given above in Section B at pages 14-15 with respect to claim 11.

The rejections of claims 32 and 33 are traversed for the additional reason that neither Uppaluru nor Talmor et al. discloses or suggest code segment(s) for determining and storing statistical parameters indicative of a voice in the manner recited in the claims.

Claim 31 has been amended so as to depend from claim 32 and so is patentable over Uppaluru and Talmor et al. for at least the reasons given above with respect to claim 32.

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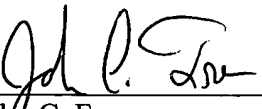
As mentioned above, claim 31 has been amended so as to depend from claim 32. Since the amendment is being made solely to provide additional coverage for the invention of claim 32, the amendment is not being made for reasons related to patentability as defined in *Festo I*.

Claims 32 and 33 have been amended so as to be in independent form. To the extent that the amendments incorporate subject matter that was inherently present in the previous version of the claims, the amendments are not being made for reasons related to patentability. *See, Festo II*.

CONCLUSION

In view of the arguments above, Applicant respectfully submits that all of the pending claims 2-6, 8-12, 14-18, 20-25, 27-29 and 31-33 are in condition for allowance and seeks an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that an interview would be helpful to resolve any remaining issues, she is respectfully requested to contact the undersigned attorney at (312) 321-4200.

Respectfully submitted,



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